

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

| | |
|---|------------------------------|
| IN THE MATTER OF THE COMPLAINT FILED) | ORDER DISMISSING |
| BY PHIL EDWARDS, SPEARFISH, SOUTH) | COMPLAINT AND CLOSING |
| DAKOTA, AGAINST U S WEST) | DOCKET |
| COMMUNICATIONS, INC. AND AT&T) | |
| COMMUNICATIONS OF THE MIDWEST, INC.) | CT00-052 |
| REGARDING BILLING ISSUES) | |

On March 22, 2000, the Public Utilities Commission (Commission) received a complaint filed by Phil Edwards, Spearfish, South Dakota (Complainant), against U S WEST Communications, Inc. (U S WEST) and AT&T Communications of the Midwest, Inc. (AT&T) regarding billing issues.

On March 23, 2000, the complaint was faxed to U S WEST and AT&T. Pursuant to ARSD 20:10:01:09, U S WEST and AT&T were notified that they must satisfy the complaint or file answers in writing with the Commission by April 12, 2000. On April 12, 2000, the Commission received answers to the complaint from U S WEST and AT&T as well as Motions to Dismiss by both parties. A hearing in this matter was scheduled for July 19, 2000. By order dated July 18, 2000, the hearing was cancelled as Commission Staff received word from the Complainant stating that the complaint against U S WEST and AT&T had been resolved.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-89 through 49-31-97, inclusive, and ARSD Chapters 20:10:01 and 20:10:34.

On August 9, 2000, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 16th day of August, 2000.

| |
|--|
| CERTIFICATE OF SERVICE |
| The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon. |
| By: _____ |
| Date: _____ |
| (OFFICIAL SEAL) |

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner